

Acton Police Department

InterDepartmental Memo

BOS
11/3
(6)

From: Frank J. Widmayer, Chief of Police

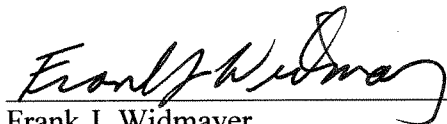
Date: October 21, 2003

To: Don Johnson, Town Manager

Subj: Liquor Law violation

I am enclosing copies of police incident reports detailing problems at Danielas Tacorito at 208 Main Street.

I recommend that the Board of Selectmen call the manager or owner in for a review of their serving policies.


Frank J. Widmayer
Chief of Police

WALTER -
I MISUNDERSTOOD WHAT
I HAD BEEN TOLD REGARDING
THIS MATTER. IT IS, INDEED,
SCHEDULED FOR THE 11/3 MEETING.



~~NOTE TO BOS:~~

~~WE ATTEMPTED TO SCHEDULE~~

~~A HEARING FOR 11/3 BUT RAN
INTO COMPLICATIONS. WILL SCHEDULE
ON NEXT AVAILABLE AGENDA.~~

~~DAN~~

TOWN OF ACTON POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

10-21-03
forwarded to COP
TR

TO: Lt. Thomas Rogers

DATE: October 19, 2003

FROM: Raymond P. Grey

SUBJ: Liquor Violation

On this date Officers responded to two 911 calls from Daniela's Tacorito restaurant located at 208 Main Street. In both calls the responding officers placed individuals into protective custody. During the booking the prisoners requested a breath test and readings of .19 and .26 resulted. Statements during booking indicated they had been drinking prior to arriving at the restaurant. Both prisoners acknowledged being served several drinks while at the restaurant. It is apparent that the employee should recognized the signs and symptoms of intoxication and not continued to serve them alcohol. I have attached copies of the appropriate Incident Reports to this correspondent.

October 21, 2003

Tuesday 16:16

Single Incident

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
I0318730	CALL FOR SERVICE	KEELER	10/19/2003, 22:06	AUSTIN
	DANIELAS TACORITO	COONEY	10/19/2003, 22:06	GREY
5	208 MAIN ST	HOLWAY	10/19/2003, 22:06	DISTURBANCE
No No	Cross: PROSPECT ST @201	DELLICICCH	10/19/2003, 22:15	DISTURBANCE
	KELLY RD @240			CT: AUSTIN
	ACTON, MA, 01720 (01)			
	ARREST			
<p>Reported as: DISTURBANCE Found as: DISTURBANCE</p> <p>Domestic Abuse: No</p> <p>Dispatcher Remarks:</p> <p>ALL UNITS RESPONDED TO THE ABOVE FOR A OUT OF CONTROL CUSTOMER. 39JC REPORTS COMING BACK WITH ONE PC</p>				
ARRESTED	[REDACTED], ROBERT R JR		License: [REDACTED] (MA)	
(Male)	[REDACTED]		SSN: [REDACTED]	
M0203552	SHIRLEY MA 01464		DOB: 10/22/1971 Age: 31	
	Phone: 978-425-6280 Race: WHI			
	Commt: ARRESTED: DISTURBANCE			
OTHER	DANIELA'S TACORITO		License: None	
	208B MAIN ST			
M0304612	ACTON MA 01720		DOB: None Recorded	
	Phone: 978-266-2777			
	Commt: INTOXICATED CUSTOMER			
REPORTER	MIRANDA, GERALDO		License: [REDACTED] (MA)	
(Male)	37 HOSMER ST		SSN: [REDACTED]	
M9802199	MARLBOROUGH MA		DOB: 10/25/1964 Age: 38	
	Phone: None Recorded			
	Commt: OWNER, DANIELA'S TACORITO			
<p>Narrative(s):</p> <p>Narr. 1: PTL. JOHN COONEY Division: None Status: Open [I0318730]</p> <p>Title: PROTECTIVE CUSTODY Entered: PTL. JOHN COONEY</p> <p>Reviewed: No officer</p> <p>On the above date and time I was dispatched to Daniela's Tacorito regarding an unruly customer. On arrival I observed an intoxicated male who Officers Holway, Keeler and Delicicchi had already removed from the establishment. I entered and spoke with the owner, Geraldo Miranda, who related that the customer had become unruly and argumentative when told that he could not smoke in the establishment. At that time I placed the subject, identified as Robert [REDACTED], in protective custody. His female friend, Natalie [REDACTED] asked for his car keys. She was told that she could not have the keys since she had been drinking. [REDACTED] was transported back to the Acton Police Station where he was booked by Sgt. Grey and advised of his rights. His PBT result</p>				

October 21, 2003

Acton Police Department
Incident Report

Tuesday 10

Single Incident

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
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Narrative 1 (continued) By: PTL. JOHN COONEY

Incident I0318730

was .193. [REDACTED] was allowed use of the phone and placed in cell 1.

Ptl John Cooney
Acton Police, #39

October 21, 2003

Acton Police Department
Incident Report

Tuesday 16

Single Incident

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
I0318732	CALL FOR SERVICE	HOLWAY	10/19/2003, 22:35	AUSTIN
7	DANIELAS TACORITO	KEELER	10/19/2003, 22:36	GREY
No	208 MAIN ST	DELLICICCH	10/19/2003, 22:37	DISTURBANCE
No	Cross: PROSPECT ST @201		10/19/2003, 22:41	DISTURBANCE
	KELLY RD @240			CT: AUSTIN
	ACTON, MA, 01720 (01)			
	ARREST			

Reported as: DISTURBANCE Found as: DISTURBANCE
Domestic Abuse: No

Dispatcher Remarks:

85DH/65DK/91TD RESPONDED TO THE ABOVE FOR A DISTURBANCE 91TD REPORTS COMING BACK WITH ONE. THIS IS THE SECOND DISTURBANCE THIS EVENING.

ARRESTED [REDACTED], NATALIE J License: [REDACTED] (MA)
(Female) [REDACTED] SSN: [REDACTED]
M9503565 ACTON MA 01720
Phone: 266-2787 Race: WHI DOB: 09/14/1963 Age: 40
Commt: ARRESTED: DISTURBANCE

REPORTER NELSON, DENISE License: None
(Female) 18 LINDBERG AVE.
M0304615 MAYNARD MA 01265
Phone: None Recorded Race: W DOB: 06/16/1965 Age: 38
Commt: BARTENDER OF DANIELAS TACORITO

PROP-OWNR MIRANDA, GERALDO License: 026-68-3458 (MA)
(Male) 37 HOSMER ST SSN: 026-68-3458
M9802199 MARLBOROUGH MA
Phone: None Recorded DOB: 10/25/1964 Age: 38
Commt: OWNER OF DANIELA'S TACORITO

Narrative(s):

Narr. 1: PTL. TRICIA DELLICICCHI Division: None Status: Open [I0318732]
Title: POLICE REPORT Entered: PTL. TRICIA DELLICICCHI
Reviewed: No officer

ON MONDAY OCTOBER 19TH, 2003 AT 22:35 P.M. DISPATCHER AUSTIN ADVISED OFFICER HOLWAY, OFFICER KEELER AND THIS OFFICER OF A DISTURBANCE AT DANIELA'S TACORITO. UPON ARRIVAL AT THE ESTABLISHMENT ALL OFFICERS ENTERED THE RESTAURANT AND FOUND NATALIE [REDACTED]. NATALIE YELLED THAT, "SHE HAD TOO MUCH TOO DRINK AND SHE KNEW SHE COULDN'T DRIVE." SHE CONTINUED YELLING AND STATING THAT, "WE HAD TAKING HER BOYFRIEND AND NOW SHE DIDN'T WANT TO LEAVE. "NATALIE STATED THAT, " SHE LIVED RIGHT AROUND THE CORNER AND COULD WE JUST GIVE HER A RIDE HOME. " NATALIE'S SPEECH WAS SLURRED AND SHE WAS YELLING AT ALL THE OFFICERS. SHE STATED THAT, " SHE HAD THREE KIDS AT HOME AND ALL SHE WANTED TO DO WAS GO HOME."

**Acton Police Department
Incident Report**

October 21, 2003

Tuesday 10/21/03

Single Incident

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
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Narrative 1 (continued) By: PTL. TRICIA DELLICICCHI Incident I0318732

OFFICER KEELER PLACED NATALIE IN PROTECTIVE CUSTODY AND THIS OFFICER TRANSPORTED NATALIE BACK TO THE ACTON POLICE DEPARTMENT. SHE WAS THEN BOOKED AND AFFORDED A PHONE CALL BY SGT. GRAY. SGT. GRAY ASKED NATALIE IF SHE WANTED TO TAKE A BREATHALYZER TEST, NATALIE REFUSED. A FEW MINUTES LATER NATALIE STATED THAT, "SHE WANTED TO USE THE PHONE. " I OPENED THE FEMALE CELL AND ALLOWED HER TO MAKE A PHONE CALL TO HER EX-HUSBAND DAVID [REDACTED]. IT WAS AT THIS TIME NATALIE STATED THAT, "SHE WANTED TO TAKE THE BREATHALYZER TEST. " I ADMINISTERED THE PORTABLE BREATH TEST TO NATALIE AND THE TEST REVEALED A READING OF .26. I ASKED HER IF SHE WANTED TO CALL ANYONE ELSE AND SHE DECLINED.

PTL. TRICIA DELLICICCHI #91
ACTON POLICE DEPARTMENT